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NOTIFICATIONS BY GOVERNMENT

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ENVIRONMENT, FORESTS, SCIENCE AND TECHNOLOGY DEPARTMENT

(FOR.III)

PROHIBITION OF OPEN BURNING OF WASTE AND UTILIZATION OF REFUSED DERIVED FUEL (RDF) AS A FUEL IN POWER GENERATION AND CEMENT PLANTS.

[GO. Ms. No.27, Environment, Forests, Science & Technology (For.III), 10th July, 2017.]

In exercise of the powers conferred by Sections 3,6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Municipal Solid Waste (Management & Handling) Rules, 2000, the Central Government notified Solid Waste Management Rules, 2016, under Environment (Protection) Act, 1986.

2. The Hon'ble National Green Tribunal, Principal Bench, New Delhi vide order dt. 22-12-2016 in OA No.199 of 2014 filed by Mrs. Almitra H. Patel Vs. UOI & Ors. directed that:

- a. *The State Government and the local authorities shall issue directives to all concerned, making it mandatory for the power generation and cement plants within its jurisdiction to buy and use RDF as fuel in their respective plants, wherever such plant is located within a 100 km radius of the facility.*
- b. *The MoEF&CC, and the State Governments to consider and pass appropriate directions in relation to ban on short life PVC and chlorinated plastics as expeditiously as possible and, in any case, not later than six months from the date of pronouncement of this judgment.*
- c. *We specifically direct that there shall be complete prohibition on open burning of waste on lands, including at landfill sites. For each such incident or default, violators including the project proponent, concessionaire, ULB, any person or body responsible for such burning, shall be*

liable to pay environmental compensation of Rs. 5,000/- (Rs. Five Thousand only) in case of simple burning, while Rs. 25,000/- (Rs. Twenty Five Thousand only) in case of bulk waste burning. Environmental compensation shall be recovered as arrears of land revenue by the competent authority in accordance with law."

3. The Member Secretary, Telangana State Pollution Control Board has requested for orders accordingly, vide letter dated 14-2-2017 From the MS, TSPCB, Hyderabad, letter No. TSPCB/ MSW/U-IV/NGT-199/2016-3103, dt. 14-02-2017.

4. Government, after careful consideration of the matter, and in exercise of the powers conferred under section 5 read with section 23 of the Environment (Protection) Act, 1986 read with Sub-Rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 and in compliance of the judgment pronounced by the Hon'ble National Green Tribunal in Original application No.199 of 2014 hereby order that :

- A) The power generation plant and cement plants in Telangana State shall buy and use Refuse Derived Fuel (RDF) as fuel in their respective plants, wherever RDF plant is located within 100 km radius.
- B) There shall be complete prohibition on open burning of waste on lands, including at landfill sites for each such incident or default, violators including project proponent, concessionaire, Urban Local Bodies, any person or body responsible for such burning Environmental compensation shall be levied Rs.5,000/- (Rupees Five Thousand only) for simple burning and Rs. 25,000/- (Rupees Twenty Five Thousand only) for bulk waste burning. The Environmental compensation will be recovered as arrears of land revenue by the competent authority.
- I) The concerned Urban Local Body / Gram Panchayat is the competent authority for levy of Environmental compensation for open waste burning done by public, concessionaire, project proponent (Private), communities etc.
- II) The Telangana State Pollution Control Board is the competent authority for levying the Environmental compensation for open waste burning done by Urban Local Bodies / Gram Panchayats.

5. The Environmental Compensation shall be utilized for creating awareness among general public on Environmental issues and open burning of waste.

6. As per Rule 15 (v) (b), the Local Authorities and Village Panchayats of census towns and urban agglomeration shall establish waste to energy processes including Refused Derived Fuel (RDF) for combustible fraction of waste or supply as feed stock to solid waste based power plants to Thermal Power Plants & Cement Plants.

7. In case of Thermal Plants & Cement Plants are not existing within 100 km radius of Local Bodies / RDF plants, The concerned Urban Local Bodies/ Refused Derived Fuel (RDF) plant shall bear the transport cost for transporting Refused Derived Fuel to the nearby Thermal Plants & Cement Plants.

8. These orders shall come into force with immediate effect.

DRAFT NOTIFICATION TO THE IMPOSING OF BAN ON SHORT LIFE PVC AND CHLORINATED PLASTICS IN THE STATE OF TELANGANA.

[G.O. Ms. No. 28, Environment, Forests, Science & Technology (For.III), 10th July, 2017.]

Read the following :-

1. Government of India, Ministry of Environment, Forest and Climate Change Notification No. G.S.R. 320 (E), dt.18-03-2016 notifying the Plastic Waste Management Rules, 2016.
2. Government of India, Ministry of Environment, Forest and Climate Change Notification No. S.O. 1357 (E), dt.08-04-2016 notifying the Solid Waste Management Rules, 2016.
3. G.O.Ms. 79, E.F.S. & T. (For.III), Dept., Dated. 30-12-2016.
4. Orders of Hon'ble NGT, New Delhi, dt. 22-12-2016 in OA No.199/2014 filed by Mrs. Almitra H.Patel.
5. From the MS, TSPCB, Hyderabad, letter No. TSPCB/ MSW/U-IV/NGT-199/2016-3103, dt. 14-02-2017.

In exercise of the powers conferred by Sections 3,6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986), and in supersession of the Plastic Waste (Management & Handling) Rules, 2011, the Central Government notified Plastic Waste Management Rules, 2016 under Environment (Protection) Act, 1986. Similarly, in supersession of the Municipal Solid Waste (Management & Handling) Rules, 2000, the Central Government notified Solid Waste Management Rules, 2016 under Environment (Protection) Act, 1986.

2. In the G.O.3rd read above, orders were issued for implementation of Plastic Waste Management Rules, 2016 and ban on Manufacture, Stock, Sale and use of plastic carry bags less than 50 microns in thickness.

3. The Hon'ble National Green Tribunal, Principal Bench, New Delhi vide its orders 4th read above, directed that :

"The MoEF&CC, and the State Governments to consider and pass appropriate directions in relation to ban on short life PVC and chlorinated plastics as expeditiously as possible and, in any case, not later than six months from the date of pronouncement of this judgment".

4. The Member Secretary, Telangana State Pollution Control Board vide letter 5th read above requested the Government to issue necessary orders, in view of the orders of Hon'ble National Green Tribunal.

5. Government have decided to impose ban on short life PVC and Chlorinated Plastics in the State of Telangana. Accordingly, the following draft notification is published in the Extraordinary issue of the official Gazette of the State of Telangana for information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after the expiry of a period sixty days from the date on which copies of the Telangana State Official Gazette containing this notification are made available to the public together with any objections or suggestions that may be received in respect thereto within the stipulated period.

Objections or suggestions in this behalf should be addressed to the Member Secretary, Telangana State Pollution Control Board, Paryavaran Bhavan, A-3, Industrial Estate, Sanathnagar, Hyderabad-500018.

DRAFT NOTIFICATION

In exercise of the powers conferred under section 5 read with section 23 of the Environment (Protection) Act, 1986 read with sub-rule (3) of rule 5 of Environment (Protection) Rules, 1986 and in compliance of the Judgment, dated 22-12-2016 pronounced by the Hon'ble National Green Tribunal in Original Application No.199 of 2014, the Government of Telangana hereby order that there shall be complete ban on usage of short life PVC and chlorinated plastics.

6. This notification shall come into force on the date of its final publication in the extraordinary issue of the official Gazette of the State of Telangana.

7. Copy of this order is available on Internet and can be accessed at www.goir.telangana.gov.in.

Dr. RAJAT KUMAR,
Principal Secretary to Government.

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